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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 EPHANTUS WAKABA KANYIRI,

10 Petitioner,

11 v.

12 A. NEIL CLARK,

13 Respondent.

No. C10-1819Z

ORDER OF DISMISSAL

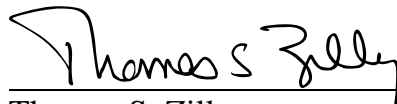
14 The Court, having reviewed the Report and Recommendation of the Honorable Mary
15 Alice Theiler, United States Magistrate Judge, docket no. 17, to which no objections have been
16 filed, see Minute Order (docket no. 19), ORDERS as follows:

17 1. The Court ADOPTS in part the Report and Recommendation ("R&R"); the Court
18 does not adopt the portion of the R&R that relies on Local Rule CR 41(b)(2);

19 2. Petitioner's habeas petition, docket no. 7, is DISMISSED without prejudice as
20 moot and for failure to respond to the Court's Order to show cause, docket no. 15; and

21 3. The Clerk shall send a copy of this Order to the parties and to Judge Theiler.

22 DATED this 30th day of June, 2011.

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25 Thomas S. Zilly
26 United States District Judge